



PATENT  
Customer No. 22,852  
Attorney Docket No. 08059.0001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE # 8

DP  
10-23-02

In re Application of: )  
)  
Graham Francois DUIRS ) Group Art Unit: 3751  
)  
Application No.: 09/529,128 ) Examiner: P. deVore  
)  
PCT Filing Date: October 6, 1998 )  
)  
For: DRUG DELIVERY SYSTEM )

U.S. National Phase of PCT/NZ98/00147

Commissioner for Patents  
Washington, DC 20231

**RECEIVED**

OCT 23 2002

TECHNOLOGY CENTER R3700

Sir:

**INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(c)**

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(c), Applicant brings to the attention of the Examiner the documents listed on the attached PTO 1449. This Information Disclosure Statement is being filed after the events recited in Section 1.97(b) but, to the undersigned's knowledge, before the mailing date of either a Final action, Quayle action, or a Notice of Allowance. Under the provisions of 37 C.F.R. § 1.97(c), this Information Disclosure Statement is accompanied by a fee of \$180.00 as specified by Section 1.17(p).

Copies of the listed documents are attached. Also attached is a copy of the International Search Report dated March 23, 1999 from the Australian Patent Office citing the listed documents. Applicant respectfully requests that the Examiner consider

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the listed documents and indicate that they were considered by making appropriate notations on the attached form.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claims in the application and Applicant determines that the cited documents do not constitute "prior art" under United States law, Applicant reserves the right to present to the office the relevant facts and law regarding the appropriate status of such documents.

Applicant further reserves the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: October 17, 2002

By: 

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